

Application No. 10/517,277
Amdt. Dated: Dec-23-2008
Reply to Office Action of Sept-29-2008

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REMARKS/ARGUMENTS

The Examiner rejected claim 49 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 49 has been amended to remove reference to air desolventizing. It is submitted that claim 49 can no longer be considered to be indefinite and hence the rejection thereof under 35 USC 112, second paragraph, should be withdrawn.

The Examiner rejected claims 1, 2, 5 to 10, 17 to 19, 29 to 31, 35 and 44 to 48 under 35 USC 103(a) as being obvious over Murray (US 6,005,016) in view of Rossi. Without prejudice and without agreeing that such claims are open to rejection under 35 USC 103(a), these claims have been deleted or made the subject of subclaims to claims which are in an allowable form, as discussed below.


The Examiner considered that claims 3 to 4, 11 to 16, 20 to 28, 32 to 34, 36 to 43 and 51 to 53 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the claim and any intervening claims.

In this regard, claims 3, 4, 17, 20, 24, 25, 36 and 42 have been rewritten in independent form, incorporating therein the subject matter of claim 1. Authorization to charge the prescribed fees to our deposit account is enclosed. Claims 5 to 10, 35, 44 and 49 have been made dependent on claim 25.

It is submitted that all claims remaining in the application now are in an allowable form.

It is believed that this application is now in condition for allowance and early and favourable consideration and allowance are respectfully solicited.

Respectfully submitted,



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